

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>CHERIE LEATHERMAN, both</b>	:	<b>CIVIL ACTION</b>
<b>individually and as the Administratrix of the</b>	:	
<b>Estate of Gregory Bret Walker, Deceased</b>	:	
<b>Plaintiff,</b>	:	
	:	<b>NO. 12-3783</b>
<b>v.</b>	:	
	:	
<b>CABOT OIL &amp; GAS CORPORATION,</b>	:	
<b>PIONEER DRILLING SERVICES, LTD.,</b>	:	
<b>PIONEER DRILLING, INC., and DEAN'S</b>	:	
<b>CASING SERVICES, INC.,</b>	:	
<b>Defendants.</b>	:	

**O R D E R**

AND NOW this 29th day of March, 2013, upon consideration of the Motion to Dismiss for Improper Venue Pursuant [sic] by Defendants Pioneer Drilling Services, Ltd. and Pioneer Drilling Company (Document No. 9, filed July 30, 2012), and the related filings of the parties,<sup>1</sup> plaintiff's Motion to Remand (Document No. 14, filed August 6, 2012), and the related filings of the parties,<sup>2</sup> Motion of Defendant, Dean's Casing Services to Dismiss for Improper Venue or Motion to

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1 The related filings of the parties are: Plaintiff's Brief in Opposition to the Pioneer Defendants' Motion to Dismiss for Improper Venue (Document No. 22, filed August 16, 2012), Reply Brief in Support of Its Motion to Dismiss, or in the Alternative, Transfer Venue by Defendants Pioneer Drilling Services, Ltd. and Pioneer Drilling Company (Incorrectly Identified as "Pioneer Drilling, Inc.") (Document No. 32, filed September 12, 2012), Supplemental Brief in Support of Motion to Transfer Venue by Defendants Pioneer Drilling Services, Ltd. and Pioneer Drilling Company (Incorrectly Identified as "Pioneer Drilling, Inc.") (Document No. 35, filed January 9, 2013), Supplemental Brief in Support of Plaintiff's Response to Defendant's Supplement to the Motion to Transfer Venue by Defendants, Pioneer Drilling Services, Ltd. and Pioneer Drilling Company (Incorrectly Identified as "Pioneer Drilling, Inc.") (Document No. 44, filed January 23, 2013).

2 The related filings of the parties are: Response of Defendant, Dean's Casing Services, to the Plaintiff's Motion to Remand (Document No. 23, filed August 20, 2012), Cabot Oil & Gas Corporation's Response to Plaintiff's Motion to Remand (Document No. 24, filed August 20, 2012), Response to Plaintiff's Motion to Remand by Defendants Pioneer Drilling Services, Ltd. and Pioneer Drilling Company (Incorrectly Identified as "Pioneer Drilling, Inc.") (Document No. 25, filed August 20, 2012), Supplemental Brief in Support of Plaintiff's Motion to Remand (Document No. 39, filed January 9, 2013), Supplemental Brief in Opposition to Plaintiff's Motion to Remand by Defendant Dean's Casing Services, Inc. (Document No. 41, filed January 14, 2013), Supplemental Brief in Opposition to Plaintiff's Motion to Remand by Defendants Pioneer Drilling Services, Ltd. and Pioneer Drilling Company (Incorrectly Identified as "Pioneer Drilling, Inc.") (Document No. 42, filed January 21, 2013), Supplemental Response in Opposition to Plaintiff's Motion to Remand (Document No. 43, filed January 23, 2013), Supplemental Memorandum of Law in Support of the Response of Defendant, Dean's Casing Service, to Plaintiff's Motion to Remand (Document No. 49, filed March 18, 2013).

Transfer Venue (Document No. 18, filed August 12, 2012), and the related filings of the parties,<sup>3</sup> and Cabot Oil & Gas Corporation's Motion to Dismiss for Failure to State a Claim; Motion to Strike; Motion for a More Specific Pleading; and Motion to Dismiss for Improper Venue (Document No. 19, filed August 13, 2012), and the related filings of the parties,<sup>4</sup> for the reasons set forth in the Memorandum dated March 29, 2013, **IT IS ORDERED** as follows:

1. Plaintiff's Motion to Remand is **DENIED**.
2. That part of the Motion to Dismiss for Improper Venue Pursuant [sic] by Defendants Pioneer Drilling Services, Ltd. and Pioneer Drilling Company, seeking a transfer of this case to the Middle District of Pennsylvania is **GRANTED**. That part of the motion seeking a dismissal for lack of venue is **MARKED WITHDRAWN**.
3. That part of the Motion of Defendant, Dean's Casing Services, Inc. to Dismiss for Improper Venue or Motion to Transfer Venue, seeking dismissal on improper venue grounds is **DENIED**. That part of the Motion seeking a transfer of this case to the Middle District of Pennsylvania is **GRANTED**.
4. That part of the Motion of Cabot Oil & Gas Corporation's Motion to Dismiss for Failure to State a Claim; Motion to Strike; Motion for a More Specific Pleading; and Motion to Dismiss for Improper Venue, seeking dismissal on improper venue grounds is **DENIED**. That part of the Motion seeking a transfer of this case to the Middle District of Pennsylvania is

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3 The related filings of the parties are: Plaintiff's Response in Opposition to Defendant, Dean's Casing Services', Motion to Dismiss for Improper Venue or Motion to Transfer Venue (Document No. 26, filed August 30, 2012), Supplemental Memorandum of Dean's Casing Services to the Motion to Dismiss for Improper Venue or Motion to Transfer Venue (Document No. 40, filed January 11, 2013), Supplemental Brief in Support of Plaintiff's Response to the Supplemental Memorandum of Dean's Casing Services to the Motion to Dismiss [sic] Transfer Venue (Document No. 46, filed January 23, 2013).

4 The related filings of the parties are: Plaintiff's Response in Opposition to Defendant, Cabot Oil & Gas Corporation's, Rule 12 Motions (Document No. 27, filed August 30, 2012), Supplemental Memorandum to Cabot Oil & Gas Corporation's Previously Filed Motion to Transfer Venue (Document No. 37, filed January 9, 2013), Supplemental Brief in support of Plaintiff's Response to the Supplemental Memorandum to Cabot Oil & Gas Corporation's Previously Filed Motion to Transfer Venue (Document No. 45, filed January 23, 2013).

**GRANTED.** That part of the Motion, seeking dismissal of certain of plaintiff's claims, requesting a more definite statement, and moving to strike sections of the Complaint, is **DENIED WITHOUT PREJUDICE.**

5. The case is **TRANSFERRED** to the United States District Court for the Middle District of Pennsylvania.

6. The Clerk of the United States District Court for the Eastern District of Pennsylvania **SHALL SEND** the complete file to the United States District Court for the Middle District of Pennsylvania.

**BY THE COURT:**

/s/ Hon. Jan E. Dubois

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**DuBOIS, JAN E., J.**